

MINUTES OF  
CITY OF DUVALL  
COUNCIL MEETING

7/26/01  
7:00 PM

**6:00 PM Council Workshop**

**Council Present:** Jeane Baldwin, Mark Cole, Tom Loutsis, Pat Fullmer, Mayor Kuntz

**Staff Present:** Doreen Wise, Elizabeth Goode, Glenn Merryman, Bruce Disend, John Milne, Dianne Nelson, Lara Thomas, Alana McCoy, Steven Leniszewski, Eddy Chu, Connie Zimmerman, Jodee Schwinn

The City Council Meeting was called to order by Mayor Kuntz at 7:00 PM.

**ADDITIONS OR CORRECTIONS TO THE AGENDA:**

**Under Consent Agenda add:**

Payroll in the amount of \$187,931.41.

Claims in the amount of \$287,198.59.

**Remove Presentation by Jim Nelson**

**Under Council:**

Add: Pat Fullmer, Jeane Baldwin

**COMMENTS FROM THE AUDIENCE:**

**Dale Harder, 14901 275 Avenue NE, Duvall,** said he originally submitted an application in December. He still has not received his permits. He contacted Public Works three weeks ago and still has not had any response. He would like to know the status of his permits.

Director of Public Works, Elizabeth Goode, sincerely apologized for the time it has taken to process his permits. She said she and her staff are working on it.

Mayor Kuntz told Mr. Harder that staff would try to get the permit to him – maybe as soon as tomorrow.

**APPROVAL OF CONSENT AGENDA:**

*Was moved and seconded (Baldwin-Loutsis) to approve the consent agenda which included the Council Meeting Minutes of 6/28/01; Payroll in the amount of \$187,931.41.; and Claims in the amount of \$287,198.59. Carried. (4 ayes).*

**SCHEDULED ITEMS:**

**MAYOR:** **Director of Public Works, Elizabeth Goode,** introduce the new City Engineer, Eddy Chu. She said Eddy's background includes experience with Metro, the City of Bremerton and the City of Kent. She said she is very excited and looking forward to having him work for the City of Duvall.

**Mayor Kuntz** mentioned that not only is Public Works very busy during this construction season, they also just completed a move to a new location over the last two weeks. He commended Elizabeth for doing an outstanding job.

**COUNCIL:** **Councilmember Pat Fullmer** reported that both the Sandblast Festival, and the first Arts OnStage in the Park performance had great turnouts and were very successful events. She reminded everyone that there will be 3 more Arts OnStage in the Park performances; August 8<sup>th</sup>, August 15<sup>th</sup>, and August 22<sup>nd</sup>.

**Councilmember Jeane Baldwin** gave updates on the Lower Valley Youth Program, T.A.F.T., Friends of Youth, and Hopelink.

**STAFF:**

**Doreen Wise, City Hall Administrator/Planning Director**, announced that Councilmember Jonathan Rice has resigned his council position and moved out of state. She reported that his seat will remain vacant until the election. After the election the prevailing candidate will take the seat to finish out the term before starting the new term in January.

Doreen also introduced Lara Thomas, the new Assistant Planner.

**Elizabeth Goode, Director of Public Works**, gave an update on the wastewater treatment plant outfall project. Upon completion, the construction will provide for a better mix of effluent into the river thereby providing better water quality. The construction project was awarded to Fury Construction for \$330,000. She emphasized that per the City's permit from the Department of Fish and Wildlife, all work in the river must be complete by August 15, 2001. She said they have a strict schedule and are working hard to achieve it.

**Alana McCoy, Engineering Assistant**, gave an update on a BMX bike track that was installed by some local youths at Taylor Park without the City's knowledge. She said the track was very dangerous and has been removed. Staff is looking at constructing a bike track at the new Big Rock Ball Fields site.

**Connie Zimmerman, Capital Projects Manager**, gave an update on the progress of the Big Rock Ball Park. She said phase II is currently out to bid and will include storm detention, parking and a new access road. She said soccer practices will be able to start this fall on the field. The bid opening will occur Friday, July 27, 2001. Due to time constraints and the construction season, she requested permission from Council to authorize the Public Works Committee to award the bid and authorize the Mayor to sign the contract.

*Was moved and seconded (Baldwin-Fullmer) to authorize the Public Works Committee to Award the bid for the Big Rock Ball Park Phase II and authorize the Mayor to sign the contract. Carried. (4 ayes).*

**PUBLIC HEARING:**

**Potentially Available Sewer Capacity**

**Director of Public Works, Elizabeth Goode**, explained why the hearing was being held. She wanted to clarify that although additional sewer capacity has not been established yet, Council and staff wanted to receive input directly from the public on how additional capacity should be allocated and to try and anticipate the process, if it should become available.

**The Public Hearing was opened: 7:40 pm.**

**Arline Wallace, 30820 NE Big Rock Road**, owns the “Old Memories” building in downtown. She closed her business in December in hopes of selling the building. She has had 4 potential buyers back out because the moratorium will not allow a business owner to come in and change the business. She emphasized City Council not forget the business community when considering how to allocate additional capacity. She commented this moratorium is really hurting her.

**Donald Palmer, 16608 – 163 AVE SE, Snohomish**, Duvall Congregation of Jehovah’s Witnesses, explained that their property was purchased and annexed with the intent of building a Kingdom Hall. Currently, members of his congregation have to make a 30-mile trip to meet and worship. Their membership includes many long time Duvall residents, including the elderly. Families with little children don’t get home on Sundays until 7:00 pm. Originally they were being annexed as a public facility. They would like to be considered a public facility and be given relief from the moratorium.

**John Bauman**, also representing the Duvall Congregation of Jehovah’s Witnesses explained the history of the annexation for Kingdom Hall. He explained that when the Planning Department submitted the annexation application to the Boundary Review Board, it was submitted improperly. Because it had to be resubmitted to the Board, they became caught in the moratorium. If it had been submitted properly, the Kingdom Hall would already be built.

**Becky Nixon, 28604 NE 151 Place, Duvall**, asked Council when considering allocating additional sewer capacity to take care of people in town first. She encouraged them to take care of the people who have already paid their share, the citizens of Duvall and the downtown area people. She also encouraged Council to be sure and look long term.

**Gail Dimock, P.O. Box 850, Duvall**, representing Holy Innocents Catholic Church, doesn’t feel a “lottery” would be the best way to allocate additional capacity. She submitted a letter for the record and introduced Dave Votava to speak on the Church’s behalf.

**Dave Votava, 16314 270<sup>th</sup> Place NE, Duvall**, handed out proposed criteria for allocating additional capacity suggesting 10 priority criteria. The criteria included long time owner/residents, projects with low impact, projects which may have beneficial impact to neighbors, projects with strong community support, projects that will result in maximum benefit to the City/community, and projects that will provide benefit to community with minimal demand on City resources.

**Brandy Matthews, Capital Projects Manager, Riverview School District**, requested Council to take a hard look at public infrastructure. She emphasized the need to support

public infrastructure. She said the School District may not be able to complete the restrooms that were approved as part of the recent bond issue that was passed due to the moratorium. She said the citizens approved the bond issue and asked council to please give this issue the same priority and consideration as other public entities.

**Verle Bowe, P.O. Box 81, “Old Town”, Duvall**, said she was assessed for every square inch of her property in 1976 and 1977. She considers that assessment as a contract for services. The people who were assessed have already paid their fair share. She asked that Council grant her 5 residential units.

**Bill Losleben, 14244 Carnation-Duvall Rd. NE, Duvall**, said his property was annexed into the City in May of 1995 and zoned commercial. He asked Council to consider two things when allocating capacity; #1. Property annexed that gives the City the most revenue, and #2. Property owners who have been annexed according to the date of annexation. Currently his property is for sale, they have potential buyers but it depends on availability of hook-ups. They were annexed 5 years ago and would appreciate having the services for which they were zoned.

**Barbara Orr, Mr. Losleben’s listing agent**, said the moratorium is a set back on the sale of their property. She commented her client’s property seems to be in the “core” of Duvall’s commercial district. Because there is such little commercially zoned land, it should be considered a priority.

**Bess Taylor, 637 Wash. Pl. SW, Mukilteo**, submitted a letter to the record and requested sewer allocation. They would like to build 19 homes on their 5 acres. She stated they were ready to submit an application when a city employee unfairly advised them to wait. The following day the moratorium was imposed. Their family has been in this area since 1880. She believes seniority is a fair way to allocate available sewer capacity.

**Mike Subert, 27122 NE 145<sup>th</sup> Place**, introduced his attorney, Charles Maduell. Mr. Maduell submitted a letter to the record requesting Council repeal the moratorium. They believe there is no justification for a moratorium. He also requests that any further limitation on development or sewer availability thereafter imposed by the Council give preference to property owners like Mr. Subert whose development application is in the development pipeline and whose property has been subject to a sewer ULID for which assessments have been fully paid.

**Doug Walker, P.O. Box 1477, Duvall**, is included in the group of people who have been paying sewer assessment fees since the ‘70’s. He asked why those people who have paid their assessments not be given priority?

**Alice Ferrier, P.O. Box 1136, Duvall**, Eastside Literacy Program, said the Friends of Youth organization has plans to build an office which would house many other local non-profit groups. She encouraged Council to give priority to social services organizations and infrastructure. She stressed as the City grows, so does the need for these services.

**Robert Barrett, 1333 State Ave**, would respectfully like to request some hook-up allocation. He has 11 acres near the Big Rock Ball Park that the City was once interested in purchasing.

**Bob Ewing, 26519 NE 145<sup>th</sup>, Duvall**, said he feels the City needs to put more emphasis on bringing businesses to town and keep money from town, in town.

**Kass Holdeman, P.O. Box 1618, Duvall**, feels Cedarcrest High School should be at the top of the list. They finally got the bond passed; now give them their bathrooms. She feels a “lottery” system doesn’t seem to work from a practical application. Past Council policies have focused on health and safety (including social services), “Old Town”, economic development and then residential. She suggested one idea would be to limit the size of the project. That would allow more people to develop, instead of a few people developing large projects.

**Bob Rench, Friends of Youth**, stated they would like build a human services center. They acquired property earlier this year with substantial support from King County and the State of Washington. Along with the King County funding is a condition that Friends of Youth must develop the center within 3 years, or return the funding to King County. They really want to bring these services to Duvall. He submitted a handout along with a letter requesting the support of the Mayor and City Council.

**Tim Lockwood, P.O. Box 1044, Duvall**, Manager of Hopelink for the Snoqualmie Valley, requested Council allocate some capacity to Friends of Youth. Their proposed project would house many different human services organizations. He doesn’t feel that a “lottery” for allocation would be any good.

**Ty Waude, 505 Cedar Ave, Marysville**, Belmark Industries, said he is a homebuilder and also represents some local landowners. He encouraged Council to set up criteria along with a “certainty” factor that the applicant have the financial ability to make the connection within a time limit, and also the possibility of reallocating the ERU’s if the project was not going to come to realization.

**City Hall Administrator/Planning Director, Doreen Wise**, summarized a letter submitted for the record by **Duvall Resident, Rex Rosenbach**. Mr. Rosenbach purchased two lots in the 1970’s totaling just over 10 acres. Their property tax assessment on Lot 23 has increased from \$109,000 to \$1,335,000. They are now in their 70’s and would like to sell one of their lots, however, developers are unwilling to pay market value as long as the moratorium on sewer exists. If there is new sewer capacity available, they would like to request the moratorium on their property be lifted and capacity be made available for that parcel.

**The Public Hearing was closed: 8:22 pm.**

**PUBLIC HEARING:**

**Conditional Use Permit for Duvall Youth Center**

**Assistant Planner, Lara Thomas**, reviewed the Planning Department Staff Report, and the Conditions of Approval for the Duvall Youth Center Conditional Use Permit CUP01-001, and Site Plan Application.

**The Public Hearing was opened: 8:30 pm.**

There were no comments.

**The Public Hearing was closed: 8:30 pm.**

**PUBLIC HEARING: 6-Year Transportation Improvement Plan (TIP)**

**Director of Public Works, Elizabeth Goode**, summarized the plan and explained that the City needs to submit an updated plan each year to keep qualified for federal funding opportunities.

**The Public Hearing was opened: 8:40 pm.**

There were no comments.

**The Public Hearing was opened: 8:40 pm.**

**NEW BUSINESS**

**1. (AB01-36) Approve Agreement for Special Counsel Legal Services provided by Inslee, Best, Doezie & Ryder, for Public Works commencing August 1, 2001.**

*Was moved and seconded (Loutsis-Fullmer) to Approve Letter Agreement extending Special Counsel Legal Services provided by Inslee, Best, Doezie & Ryder for the Public Works Dept. Carried. (4 ayes).*

**2. (AB01-37) Resolution #01-14 Approving Conditional Use and Site Plan for Duvall Youth Center.** *Was moved and seconded (Baldwin-Loutsis) to pass Resolution #01-14 granting approval of the Duvall Youth Center Conditional Use Permit (CUP01-001) and Site Plan Review subject to specified conditions. Carried. (4 ayes).*

**3. (AB01-38) Ordinance #932 establishing a 3-month Moratorium.**

*Was moved and seconded (Loutsis-Baldwin) to adopt Ordinance #932 establishing a Three-Month Moratorium on the filing of Applications for Certain Land Development Activities and Declaring an Emergency. Carried. (4 ayes).*

**4. (AB01-39) Resolution #01-15 Approving the 6-Year TIP Plan.**

*Was moved and seconded (Loutsis-Fullmer) to pass Resolution 01-15 approving the Six-Year Transportation Improvement Plan. Carried. (4 ayes).*

**EXECUTIVE SESSION: 10 Minutes - Property Acquisition**

**8:43: The Council Chambers were cleared for a 15-minute Executive Session.**

**8:53: The Regular Council Meeting reconvened.**

**ADJOURNMENT:**

*It was moved and seconded (Loutsis-Baldwin) to adjourn. Carried. (4 ayes).*

**Meeting Adjourned at 8:53 PM.**

Signed \_\_\_\_\_  
Mayor Glen Kuntz

Attest \_\_\_\_\_  
Jodee Schwinn, City Clerk